

U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

THEODORE LANGE,

Plaintiff,

vs.

GAIL NORTON, Secretary of
the Interior,

Defendant.

O R D E R
Civ. No. 05-3054-TC

AIKEN, Judge:

Magistrate Judge Coffin filed his Findings and Recommendation on December 20, 2006 (doc. 51). The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When a party objects to any portion of the Magistrate's Findings and Recommendation, the district court must make a de novo determination of that portion of the Magistrate's report. 28 U.S.C. § 636(b)(1)(B); McDonnell Douglas Corp. v. Commodore Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Plaintiff has timely filed objections (doc. 52). I have, therefore, given the file of this case a de novo review. I ADOPT the Magistrate's Findings and Recommendation (doc. 51) that defendant's motion to dismiss (doc. 39) is granted and this case

1 is dismissed.

2 IT IS SO ORDERED.

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4 Dated this 23 day of January 2007.

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Ann Aiken
United States District Judge